

NO. 32

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

MONDAY, MARCH 9, 2009
(STATEWIDE SESSION)

Monday, March 9, 2009
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 46:1: "God is our refuge and strength. The Lord Almighty is with us."

Let us pray. Holy and mighty God, as we begin a new week filled with many challenges, give these Representatives strength, courage, and integrity to accomplish the huge task set before them. Help them discern what are the important issues so that they may, with Your guidance, make the right decisions. We pray those decisions will prove to be the right thing to do. Give us pause during the day to reflect on our decisions. Grant Your blessings upon our Nation, President, State, Governor, Speaker, this Honorable Assembly, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us as we pray, O Lord. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of Friday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. H. B. BROWN moved that when the House adjourns, it adjourn in memory of former Senator John Martin of Winnsboro, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family of Representative Stringer whose son is hospitalized.

MONDAY, MARCH 9, 2009

COMMUNICATION

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., March 3, 2009

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith a reappointment for confirmation. This reappointment is made with the advice and consent of the General Assembly and is, therefore, submitted for your consideration.

Local Appointment
Orangeburg County Master-in Equity
Term Commencing: August 14, 2009
Term Expiring: August 14, 2015
Seat: Master-in-Equity

Reappointment
The Honorable O. Davie Burgdorf
Post Office Box 9000
Orangeburg, South Carolina 29116

Respectfully,
Mark Sanford
Governor

Received as information.

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4018
Agency: Department of Labor, Licensing and Regulation - Board of
Registration for Professional Engineers and Surveyors
Statutory Authority: 1976 Code Sections 40-1-70, 40-22-60 and 40-22-
130
Board of Registration for Professional Engineers and Surveyors
Received by Speaker of the House of Representatives
January 16, 2009
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration May 16, 2009

[HJ]

MONDAY, MARCH 9, 2009

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 4022

Agency: Riverbanks Parks Commission

Statutory Authority: 1976 Code Sections 51-13-30 and 51-13-80

Riverbanks Parks Commission

Received by Speaker of the House of Representatives

March 5, 2009

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration February 9, 2010

Document No. 4053

Agency: Commissioners of Pilotage

Statutory Authority: 1976 Code Sections 40-1-70 and 54-15-140

Enforcement of Pilot Statutes and Maritime Homeland Security

Received by Speaker of the House of Representatives

March 5, 2009

Referred to Judiciary Committee

Legislative Review Expiration February 9, 2010

CONCURRENT RESOLUTION

The following was introduced:

H. 3673 -- Reps. Forrester, Parker, Duncan, Hiott, Allison, Cole, Cooper, Daning, Kelly, Littlejohn, Owens, M. A. Pitts, Rice, Stringer, Wylie, T. R. Young, J. R. Smith, D. C. Smith and Stewart: A CONCURRENT RESOLUTION TO EXPRESS THE OPPOSITION OF THE GENERAL ASSEMBLY OF SOUTH CAROLINA TO THE FIREARM LICENSING AND RECORD OF SALE ACT OF 2009 RECENTLY INTRODUCED IN THE CONGRESS WHICH WOULD, AMONG OTHER PROVISIONS, REQUIRE ALL FIREARM OWNERS TO APPLY FOR AND CARRY A FEDERALLY ISSUED PICTURE IDENTIFICATION IN ORDER TO KEEP ANY FIREARM IN THEIR HOMES, AND TO MEMORIALIZE THE CONGRESS TO CEASE AND DESIST FROM ATTEMPTING TO ENACT ANY FEDERAL LEGISLATION

MONDAY, MARCH 9, 2009

INFRINGING ON THE CONSTITUTIONAL RIGHT TO EVERY AMERICAN TO KEEP AND BEAR ARMS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was introduced:

H. 3674 -- Reps. J. H. Neal, Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT ULYSSES FLEMMING, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LAW ENFORCEMENT OFFICER, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR NEARLY FORTY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO EXTEND BEST WISHES FOR MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

MONDAY, MARCH 9, 2009

CONCURRENT RESOLUTION

On motion of Rep. NEILSON, with unanimous consent, the following was taken up for immediate consideration:

H. 3675 -- Reps. Neilson, Williams, Lucas, Harrell, Jennings, Barfield, Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Ballentine, Bannister, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO EXPRESS THE LONG-HELD BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS AND NASCAR RACING AS A SIGNIFICANT PART OF OUR STATE'S RICH HISTORY, AND TO NAME THE WEEK OF MAY 4, 2009 THROUGH MAY 10, 2009, "DARLINGTON RACEWAY WEEK, THE WEEK TOO TOUGH TO TAME".

Whereas, the Darlington Raceway opened on September 4, 1950, with the inaugural running of the Southern 500, the first stock car race on a paved track; and

Whereas, since 1950, Darlington Raceway has served as a cornerstone in the development of stock car racing, one of the fastest growing and most popular spectator sports in the country; and

MONDAY, MARCH 9, 2009

Whereas, Darlington Raceway is celebrating its sixtieth season of racing; and

Whereas, Darlington Raceway still hosts its annual spring race events, which will be held this year during the week of May 4, 2009; and

Whereas, South Carolina lays claim to many of the legends of NASCAR racing, including Rex White, David Pearson, Bud Moore, James Hylton, Tiny Lund, and Cale Yarborough; and

Whereas, the State of South Carolina is rich in historical references to the sport of stock car racing, beginning with the dirt raceways across the State that served as home to the fledgling sport of NASCAR racing in the 1950's and as evidenced today by the Darlington Raceway Stock Car Museum, the Joe Weatherly Stock Car Museum, and the National Motorsports Press Association Hall of Fame at Darlington Raceway; and

Whereas, the NASCAR events at Darlington focus our nation's attention and the attention of the world upon our great State as a sport and tourism destination; and

Whereas, the annual economic impact that NASCAR racing has on South Carolina is in excess of fifty million dollars, as NASCAR fans from across the country and around the world visit the State each year to attend racing events and vacation in communities throughout the Palmetto State; and

Whereas, the Darlington Raceway participates as a good corporate citizen at the local, regional, and state levels and is active in numerous community and charitable efforts, contributing to and enhancing the quality of life of the people and the State of South Carolina. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly, by this resolution, express the long-held belief that NASCAR racing is an integral and vital part of the State of South Carolina and its economy and recognize

MONDAY, MARCH 9, 2009

Darlington Raceway as one of our state's most treasured attractions and NASCAR racing as a significant part of our state's rich history.

Be it further resolved that the week of May 4, 2009 through May 10, 2009, is named "Darlington Raceway Week, the Week Too Tough to Tame".

Be it further resolved that a copy of this resolution be forwarded to NASCAR and the Darlington Raceway.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3676 -- Reps. Herbkersman and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3588 SO AS TO PROVIDE FOR A CREDIT AGAINST CERTAIN TAX LIABILITY OF A TAXPAYER FOR COSTS INCURRED FOR NEW CONSTRUCTION, RENOVATION, OR OTHER BUILDING PROJECT THAT MEETS CERTAIN GREEN GLOBES OR LEED STANDARDS FOR ENERGY EFFICIENCY AND TO DEFINE TERMS; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOBS TAX CREDIT, SO AS TO INCLUDE A KNOWLEDGE-INTENSIVE BUSINESS AS A QUALIFYING FACILITY, DEFINE "KNOWLEDGE-INTENSIVE BUSINESS", AND PROVIDE FOR THE DESIGNATION OF COUNTY RANKINGS BY USING THE UNEMPLOYMENT RATE AND EITHER THE PER CAPITA INCOME OR THE AVERAGE REGIONAL WAGE RATE; AND TO AMEND SECTION 12-6-3410, AS AMENDED, RELATING TO THE CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO MODIFY THE REQUIREMENT OF A CERTAIN NUMBER OF NEW FULL-TIME JOBS TO TEN PERCENT OF THE CORPORATE PAYROLL.

Referred to Committee on Ways and Means

H. 3677 -- Rep. Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE

MONDAY, MARCH 9, 2009

"VIOLENCE AGAINST WOMEN FEDERAL COMPLIANCE ACT" TO CONFORM STATE LAW TO FEDERAL REQUIREMENTS BY AMENDING SECTION 16-3-740 RELATING TO TESTING CERTAIN CRIMINALS FOR HEPATITIS B AND THE HUMAN IMMUNODEFICIENCY VIRUS AT THE REQUEST OF A VICTIM, SO AS TO REVISE THE DEFINITION OF "OFFENDER" TO INCLUDE ADULTS AND JUVENILES, TO CLARIFY PROCEDURES FOR DISCLOSING TEST RESULTS, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL ADVISE THE VICTIM OF AVAILABLE TREATMENT OPTIONS, AND UPON REQUEST OF THE VICTIM PROVIDE TESTING AND POST-TESTING COUNSELING; BY ADDING SECTION 16-3-750 SO AS TO PROHIBIT LAW ENFORCEMENT AND PROSECUTING OFFICERS FROM ASKING OR REQUIRING A VICTIM OF AN ALLEGED CRIMINAL SEXUAL CONDUCT OFFENSE TO SUBMIT TO A POLYGRAPH EXAMINATION AND TO PROVIDE THAT REFUSAL OF A VICTIM TO SUBMIT TO SUCH AN EXAMINATION DOES NOT PREVENT THE INVESTIGATION, CHARGING, OR PROSECUTION OF THE OFFENSE; TO AMEND SECTION 16-3-1350 RELATING TO MEDICOLEGAL EXAMINATIONS FOR VICTIMS OF CRIMINAL SEXUAL CONDUCT OR CHILD SEX ABUSE, SO AS TO DELETE THE PROVISION REQUIRING SUCH A VICTIM TO FILE AN INCIDENT REPORT WITH A LAW ENFORCEMENT AGENCY IN ORDER TO RECEIVE A MEDICOLEGAL EXAMINATION WITHOUT CHARGE; TO AMEND SECTION 16-3-177, AS AMENDED, RELATING TO THE FORM AND CONTENT OF A RESTRAINING ORDER, SO AS TO PROVIDE CIRCUMSTANCES UNDER WHICH A PERSON SUBJECT TO A RESTRAINING ORDER MAY NOT SHIP, TRANSPORT, OR POSSESS A FIREARM; BY ADDING SECTION 16-25-30 SO AS TO PROVIDE THAT A PERSON CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE MUST BE NOTIFIED IN WRITING THAT IT IS UNLAWFUL FOR SUCH A DEFENDANT TO SHIP, TRANSPORT, OR POSSESS A FIREARM; AND TO AMEND SECTION 20-4-60, AS AMENDED, RELATING TO THE FORM AND CONTENT OF AN ORDER OF PROTECTION FROM DOMESTIC VIOLENCE, SO AS TO PROVIDE THAT IT IS

MONDAY, MARCH 9, 2009

UNLAWFUL FOR A PERSON SUBJECT TO AN ORDER OF PROTECTION TO SHIP, TRANSPORT, OR POSSESS A FIREARM.

On motion of Rep. COBB-HUNTER, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 3678 -- Reps. Moss, Whipper, Anthony, Herbkersman, Merrill, Nanney, G. M. Smith, Thompson and Weeks: A BILL TO AMEND SECTION 56-5-4140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ALLOWABLE GROSS WEIGHTS OF VEHICLES THAT MAY BE OPERATED ALONG THE STATE'S HIGHWAYS, SO AS TO MAKE A TECHNICAL CHANGE.

Referred to Committee on Education and Public Works

H. 3679 -- Reps. Loftis, Brantley, Govan, Clyburn, Gilliard, King, Agnew, Allison, Anderson, R. L. Brown, Frye, Funderburk, Hayes, Hodges, Horne, Jefferson, Mack, Moss, Neilson, Parker, Rice, G. M. Smith, Spires, Stringer, Umphlett, Weeks, Williams, Willis and A. D. Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-287 SO AS TO PROVIDE THAT BEFORE A PERSON'S DRIVER'S LICENSE MAY BE SUSPENDED FOR FAILURE TO MAINTAIN INSURANCE ON A MOTOR VEHICLE OR OPERATING AN UNINSURED MOTOR VEHICLE, THE DEPARTMENT OF MOTOR VEHICLES MUST NOTIFY THE PERSON BY CERTIFIED MAIL THAT HIS DRIVER'S LICENSE WILL BE SUSPENDED.

Referred to Committee on Education and Public Works

H. 3680 -- Reps. Limehouse, Sottile, Whipper, Gilliard, Gambrell and Kelly: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS EXEMPTED FROM TAXES IMPOSED ON THEIR GROSS PROCEEDS OF SALES OR SALES PRICE, SO AS TO PROVIDE THAT CERTAIN FIRE SPRINKLER SYSTEMS INSTALLED IN A MANUFACTURED HOME ARE EXEMPT FROM THE TAXES IMPOSED UNDER THIS SECTION.

Referred to Committee on Ways and Means

H. 3681 -- Reps. Ott, Kirsh, Brantley, McEachern, G. A. Brown, J. H. Neal, Cobb-Hunter, Sellers, Gunn, Dillard, King, Anderson,

[HJ]

MONDAY, MARCH 9, 2009

Duncan, Agnew, Clyburn, Edge, Gambrell, Hosey, Howard, McLeod and M. A. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 26 TO TITLE 50 SO AS TO ENACT "CHANDLER'S LAW" TO PROVIDE FOR REGULATION OF THE OPERATION OF ALL-TERRAIN VEHICLES INCLUDING THE REQUIREMENT THAT PERSONS FIFTEEN AND YOUNGER MUST COMPLETE A SAFETY COURSE BEFORE THEY MAY OPERATE AN ALL-TERRAIN VEHICLE, TO REQUIRE THAT VEHICLES MEETING SPECIFIC STANDARDS ONLY MAY BE OPERATED BY PERSONS OF A CERTAIN AGE, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE THAT ALL-TERRAIN VEHICLES ARE EXEMPT FROM AD VALOREM TAXES BEGINNING WITH CALENDAR YEAR 2009; AND BY ADDING ARTICLE 9 TO CHAPTER 19, TITLE 56 SO AS TO PROVIDE A PROCEDURE FOR THE TITLING OF ALL-TERRAIN VEHICLES.

Referred to Committee on Education and Public Works

H. 3682 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-2087 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE A COMMERCIAL DRIVER'S LICENSE TO HONORABLY DISCHARGED MEMBERS OF THE UNITED STATES MILITARY, SOUTH CAROLINA NATIONAL GUARD, AND MILITARY RESERVES WHO APPLY FOR THE LICENSE WITHIN NINETY DAYS OF THEIR DISCHARGE FROM MILITARY SERVICE, AND TO PROVIDE FOR THE CONDITIONS THAT AN APPLICANT FOR THIS DRIVER'S LICENSE MUST FULFILL.

Referred to Committee on Education and Public Works

H. 3683 -- Rep. Rutherford: A BILL TO AMEND SECTION 56-1-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR DRIVING A MOTOR VEHICLE WITH A CANCELED, SUSPENDED, OR REVOKED DRIVER'S LICENSE, SO AS TO REVISE THE PENALTY FOR DRIVING A MOTOR VEHICLE WITH A CANCELED, SUSPENDED, OR REVOKED DRIVER'S LICENSE FOR A THIRD OR SUBSEQUENT OFFENSE.

Referred to Committee on Judiciary

MONDAY, MARCH 9, 2009

H. 3684 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240 SO AS TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MUST WEAR AN OFFICIAL BADGE ISSUED BY THE AGENCY IN WHICH HE IS EMPLOYED AT ALL TIMES WHILE ON DUTY EXCEPT WHEN HE IS PERFORMING UNDERCOVER LAW ENFORCEMENT DUTIES.

Referred to Committee on Judiciary

H. 3685 -- Rep. Vick: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 20, 2009, AND FEBRUARY 4, 2009, BY THE STUDENTS OF CHESTERFIELD COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW AND INCLEMENT WEATHER ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

On motion of Rep. J. M. NEAL, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

S. 16 -- Senators Lourie and Elliott: A BILL TO AMEND SECTION 59-39-100 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF UNIFORM DIPLOMAS, TO REQUIRE THE ISSUANCE OF HIGH SCHOOL DIPLOMAS FOR QUALIFYING VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES DURING A WAR PERIOD AS DEFINED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

Referred to Committee on Education and Public Works

S. 97 -- Senators Leventis, Land and Malloy: A BILL TO AMEND SECTION 59-53-1410 OF THE 1976 CODE, RELATING TO THE CENTRAL CAROLINA TECHNICAL COLLEGE COMMISSION, TO PROVIDE AN ADDITIONAL MEMBER FROM CLARENDON COUNTY AND AN ADDITIONAL MEMBER FROM KERSHAW COUNTY.

Referred to Committee on Education and Public Works

S. 110 -- Senator Malloy: A BILL TO AMEND SECTION 59-150-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION LOTTERY ACT, TO PERMIT THE SALE

MONDAY, MARCH 9, 2009

OF LOTTERY TICKETS ON GENERAL OR PRIMARY ELECTION DAYS.

Referred to Committee on Judiciary

S. 146 -- Senators Campsen, Rose and Ford: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 20-3-240 TO ENACT THE "FAMILY COURT FINANCIAL PRIVACY ACT" TO PROVIDE THAT A FINANCIAL DECLARATION MADE A PART OF THE RECORD IN A MATTER BEFORE THE FAMILY COURT MUST BE SEALED, TO PROVIDE ACCESS TO A FINANCIAL DECLARATION UPON REQUEST ONLY BY THE PARTIES, THE COURT AND PERSONNEL OF THE COURT, AND THE CHILD SUPPORT ENFORCEMENT DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES, AND TO PROHIBIT OTHER ACCESS EXCEPT UPON ORDER OF THE COURT FOR GOOD CAUSE SHOWN; AND TO AMEND SECTION 30-4-40, RELATING TO EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT, TO EXEMPT FINANCIAL DECLARATIONS IN MATTERS BEFORE THE FAMILY COURT EXCEPT ON ORDER OF THE COURT FOR GOOD CAUSE SHOWN.

Referred to Committee on Judiciary

S. 488 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CHARTER SCHOOL APPEALS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

S. 489 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4029, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

S. 490 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO PROGRAM FOR ASSISTING,

[HJ]

MONDAY, MARCH 9, 2009

DEVELOPING, AND EVALUATING PRINCIPAL PERFORMANCE (PADEPP), DESIGNATED AS REGULATION DOCUMENT NUMBER 4027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

S. 499 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SOUTH CAROLINA TRAUMA SYSTEM, DESIGNATED AS REGULATION DOCUMENT NUMBER 3199, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

HOUSE RESOLUTION

The following was introduced:

H. 3686 -- Reps. Weeks, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE GEORGE M. MCFADDIN, JR., OF SUMTER COUNTY FOR HIS DEDICATED LABORS ON BEHALF OF CHILDREN AND FAMILIES, AND TO CONGRATULATE HIM ON BEING NAMED 2009 ADVOCATE

MONDAY, MARCH 9, 2009

OF THE YEAR BY THE SOUTH CAROLINA CHILDREN'S FOSTER CARE REVIEW BOARD (FCRB), A DIVISION OF THE SOUTH CAROLINA GOVERNOR'S OFFICE.

Whereas, it is with great pleasure that the members of the South Carolina House of Representatives honor individuals who freely give of their time and resources for the good of others, especially those who need it most; and

Whereas, the Honorable George M. McFaddin, Jr., of Sumter County stands high among their number, much admired for his years of unceasing effort to make the Sumter area a better place to live for children and families; and

Whereas, since being elected to the Family Court of the Third Judicial Circuit in 2002, Judge McFaddin has proven himself a friend to children and families, as well as a supporter of child advocates; and

Whereas, a graduate of the University of South Carolina, this Sumter County native instituted "Adoption Days," legal hearings that took place in his Family Court chambers that facilitated adoptions for a number of children around the State last year. Judge McFaddin decided to institute the biannual proceedings after noticing the backlog of cases for children awaiting consummation hearings. He invited representatives from the FCRB legal team, attorneys, and would-be foster parents to come to Sumter to finalize the proceedings; and

Whereas, because of that initiative, twenty-five children received permanent homes in 2008; and

Whereas, in addition to his Adoption Days, Judge McFaddin has served as chair to the Bench/Bar Committee, where he has worked toward strengthening the legal system's representation of children and families. Recognizing the importance of permanence for these children, he has labored proactively and successfully to move some cases through the system; and

Whereas, in appreciation of his outstanding work on behalf of children and families, the South Carolina Children's Foster Care Review Board, a division of the South Carolina Governor's Office, has

MONDAY, MARCH 9, 2009

named Judge McFaddin 2009 Advocate of the Year, an award given to an individual who has been an unusual advocate for children; and

Whereas, this honor is a fitting tribute to a man with a high dedication to his calling equaling the eminence of the award, and the South Carolina House of Representatives is proud to add its collective voice to the many warm expressions of praise and gratitude so well deserved by Judge McFaddin. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable George M. McFaddin, Jr., of Sumter County for his dedicated labors on behalf of children and families, and congratulate him on being named 2009 Advocate of the Year by the South Carolina Children's Foster Care Review Board (FCRB), a division of the South Carolina Governor's Office.

Be it further resolved that a copy of this resolution be forwarded to the Honorable George M. McFaddin, Jr.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was taken up for immediate consideration:

S. 524 -- Senators Malloy, Leatherman, S. Martin and Land: A CONCURRENT RESOLUTION TO EXPRESS THE LONG-HELD BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS AND NASCAR RACING AS A SIGNIFICANT PART OF OUR STATE'S RICH HISTORY, AND TO NAME THE WEEK OF MAY 4, 2009, THROUGH MAY 10, 2009, "DARLINGTON RACEWAY WEEK, THE WEEK TOO TOUGH TO TAME".

MONDAY, MARCH 9, 2009

Whereas, the Darlington Raceway opened on September 4, 1950, with the inaugural running of the Southern 500, the first stock car race on a paved track; and

Whereas, since 1950, Darlington Raceway has served as a cornerstone in the development of stock car racing, one of the fastest growing and most popular spectator sports in the country; and

Whereas, Darlington Raceway is celebrating its sixtieth season of racing; and

Whereas, Darlington Raceway still hosts its annual spring race events, which will be held this year during the week of May 4, 2009; and

Whereas, South Carolina lays claim to many of the legends of NASCAR racing, including Rex White, David Pearson, Bud Moore, James Hylton, Tiny Lund, and Cale Yarborough; and

Whereas, the State of South Carolina is rich in historical references to the sport of stock car racing, beginning with the dirt raceways across the State that served as home to the fledgling sport of NASCAR racing in the 1950's and as evidenced today by the Darlington Raceway Stock Car Museum, the Joe Weatherly Stock Car Museum, and the National Motorsports Press Association Hall of Fame at Darlington Raceway; and

Whereas, the NASCAR events at Darlington focus our nation's attention and the attention of the world upon our great State as a sport and tourism destination; and

Whereas, the annual economic impact that NASCAR racing has on South Carolina is in excess of fifty million dollars, as NASCAR fans from across the country and around the world visit the State each year to attend racing events and vacation in communities throughout the Palmetto State; and

Whereas, the Darlington Raceway participates as a good corporate citizen at the local, regional, and state levels and is active in numerous community and charitable efforts, contributing to and enhancing the

MONDAY, MARCH 9, 2009

quality of life of the people and the State of South Carolina. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly, by this resolution, express the long-held belief that NASCAR racing is an integral and vital part of the State of South Carolina and its economy and recognize Darlington Raceway as one of our state's most treasured attractions and NASCAR racing as a significant part of our state's rich history.

Be it further resolved that the week of May 4, 2009, through May 10, 2009, is named "Darlington Raceway Week, the Week Too Tough to Tame".

Be it further resolved that a copy of this resolution be forwarded to NASCAR and the Darlington Raceway.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Agnew	Alexander	Allison
Anthony	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Bowers	Brady	Brantley
H. B. Brown	Cato	Chalk
Clyburn	Cobb-Hunter	Cole
Cooper	Daning	Delleney
Dillard	Duncan	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Hart	Harvin
Hayes	Hearn	Hiott
Hodges	Horne	Hosey

MONDAY, MARCH 9, 2009

Huggins	Hutto	Jefferson
Kelly	King	Kirsh
Littlejohn	Loftis	Long
Lucas	Mack	McEachern
McLeod	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott
Sellers	Skelton	D. C. Smith
G. R. Smith	J. E. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Stewart	Thompson	Toole
Umphlett	Vick	Viers
Weeks	White	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Monday, March 9.

Karl Allen	Carl Anderson
Lester P. Branham	Robert L. Brown
Kris Crawford	Tracy Edge
Douglas Jennings	Kenneth Kennedy
H.B. "Chip" Limehouse	Phillip Lowe
Harry Ott	Anne Parks
Todd Rutherford	Gary Simrill
Jackson "Seth" Whipper	William G. Herbkersman
Leon Howard	G. Murrell Smith
Grady Brown	

Total Present--120

LEAVE OF ABSENCE

The SPEAKER granted Rep. KNIGHT a leave of absence due to an illness.

MONDAY, MARCH 9, 2009

LEAVE OF ABSENCE

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. STRINGER a leave of absence for the day.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

CO-SPONSORS ADDED

Bill Number: H. 3673
Date: ADD:
03/09/09 T. R. YOUNG, J. R. SMITH, STEWART and
D. C. SMITH

H. 3560--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

H. 3560--GENERAL APPROPRIATION BILL

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER

MONDAY, MARCH 9, 2009

PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT
DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

MOTION ADOPTED

Rep. COOPER moved that when the House adjourns today that it adjourn to meet at 9:30 a.m. tomorrow, which was agreed to.

MOTION ADOPTED

Rep. COOPER moved that move that while debating H. 3560 that he be allowed to note a motion daily to reconsider each section adopted, which was agreed to.

PART IA

SECTION 4

Section 4 was adopted.

SECTION 15C

Section 15C was adopted.

SECTION 15H

Section 15H was adopted.

SECTION 20

Section 20 was adopted.

SECTION 27

Section 27 was adopted.

SECTION 28

Section 28 was adopted.

SECTION 32

Section 32 was adopted.

SECTION 34--ADOPTED

Rep. HALEY demanded the yeas and nays which were taken,
resulting as follows:

Yeas 98; Nays 0

MONDAY, MARCH 9, 2009

Those who voted in the affirmative are:

Agnew	Alexander	Allison
Anderson	Anthony	Bales
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Bowers	Brady
Brantley	H. B. Brown	R. L. Brown
Cato	Chalk	Clyburn
Cobb-Hunter	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Funderburk	Gilliard
Govan	Gullick	Gunn
Haley	Hamilton	Hardwick
Harrell	Harrison	Hart
Hayes	Hearn	Hiott
Hodges	Horne	Hosey
Huggins	Hutto	Jefferson
Kelly	King	Kirsh
Littlejohn	Long	Lucas
Mack	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Owens	Parker
Parks	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Sellers	Simrill
D. C. Smith	G. R. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stewart	Thompson	Toole
Umphlett	Vick	Viers
Weeks	White	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

Total--98

Those who voted in the negative are:

Total--0

MONDAY, MARCH 9, 2009

Section 34 was adopted.

RECORD FOR VOTING

I was temporarily out of the Chamber responding to a constituent during the budget vote on the Department of Agriculture. If I had been present, I would have voted in favor of Section 34 of H. 3560.

Rep. Leon Stavrinakis

SECTION 35

Section 35 was adopted.

SECTION 37

Section 37 was adopted.

SECTION 38

Section 38 was adopted.

SECTION 41

Section 41 was adopted.

SECTION 42

Section 42 was adopted.

SECTION 45--DEBATE ADJOURNED

Rep. A. D. YOUNG explained the Section.

Rep. A. D. YOUNG moved to adjourn debate on the Section, which was agreed to.

SECTION 50--ADOPTED

Rep. A. D. YOUNG explained the Section.

Section 50 was adopted.

SECTION 51--DEBATE ADJOURNED

Rep. A. D. YOUNG explained the Section.

MONDAY, MARCH 9, 2009

Rep. COOPER moved to adjourn debate on the Section, which was agreed to.

SECTION 56

Section 56 was adopted.

SECTION 58

Section 58 was adopted.

SECTION 59

Section 59 was adopted.

SECTION 60

Section 60 was adopted.

SECTION 61

Section 61 was adopted.

SECTION 62

Section 62 was adopted.

SECTION 63

Section 63 was adopted.

SECTION 64

Section 64 was adopted.

SECTION 65

Section 65 was adopted.

SECTION 70A

Section 70A was adopted.

SECTION 70B

Section 70B was adopted.

SECTION 70C

Section 70C was adopted.

SECTION 70D

Section 70D was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 70E

Section 70E was adopted.

SECTION 70F

Section 70F was adopted.

SECTION 72A--AMENDED AND DEBATE ADJOURNED

Rep. COOPER proposed the following Amendment No. 5 (Doc Name h:\legwork\house\amend\H-WM\001\RESTORE ECOS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IA, Section 72A, GOVERNOR'S OFFICE-EXECUTIVE CONTROL OF STATE, page 263, line 5, opposite /unclassified positions/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
650,730	650,730

Amend the bill further, as and if amended, Section 72A, GOVERNOR'S OFFICE-EXECUTIVE CONTROL OF STATE, page 263, line 16, opposite /employer contributions/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
278,884	278,884

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Rep. BALLENTINE moved to adjourn debate on the Section, which was agreed to.

SECTION 73

Section 73 was adopted.

SECTION 76

Section 76 was adopted.

SECTION 79

Section 79 was adopted.

MONDAY, MARCH 9, 2009

SECTION 80B

Section 80B was adopted.

SECTION 80D

Section 80D was adopted.

SECTION 83

Section 83 was adopted.

SECTION 87

Section 87 was adopted.

SECTION 88

Section 88 was adopted.

PART IB

SECTION 3

Section 3 was adopted.

SECTION 4--AMENDED AND ADOPTED

Rep. J. R. SMITH proposed the following Amendment No. 31(Doc Name h:\legwork\house\amend\H-WM\008\SCSDB SCHOOL BUS PURCHASES.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 4, SCHOOL FOR THE DEAF AND THE BLIND, page 373, paragraph 4.13, line 30, by inserting after /school bus purchases/:

/and subject to the availability of these funds /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Section 4, as amended, was adopted.

SECTION 7

Section 7 was adopted.

MONDAY, MARCH 9, 2009

SECTION 18

Section 18 was adopted.

SECTION 19

Section 19 was adopted.

SECTION 20

Section 20 was adopted.

SECTION 27

Section 27 was adopted.

SECTION 28

Section 28 was adopted.

SECTION 29

Section 29 was adopted.

SECTION 31

Section 31 was adopted.

SECTION 32

Section 32 was adopted.

SECTION 38

Section 38 was adopted.

SECTION 45

Section 45 was adopted.

SECTION 49

Section 49 was adopted.

SECTION 50

Section 50 was adopted.

SECTION 52

Section 52 was adopted.

SECTION 53

Section 53 was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 55

Section 55 was adopted.

SECTION 57

Section 57 was adopted.

SECTION 59

Section 59 was adopted.

SECTION 62--DEBATE ADJOURNED

Rep. BINGHAM proposed the following Amendment No. 22 (Doc Name h:\legwork\house\amend\H-WM\007\PRODUCER LICENSING FEES.DOCX):

Amend the bill, as and if amended, Part IB, Section 62, DEPARTMENT OF INSURANCE, page 450, paragraph 62.3, lines 26-35, and page 451, lines 1-10 by striking /The proviso in its entirety/ and inserting /(Fees for Licenses) The Department of Insurance shall be authorized to charge a \$25 initial producer license fee; \$25 biennial producer license renewal fee; and \$250 penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees by order. The Department shall retain these fees and any retaliatory fees collected pursuant an audit of retaliatory fee payments for years 2008 and prior in accordance with Section 38-7-90 et seq. These funds shall be used for the administration of Title 38. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

Rep. SANDIFER moved to adjourn debate on the amendment, which was agreed to.

Rep. BINGHAM moved to adjourn debate on the Section, which was agreed to.

SECTION 63

Section 63 was adopted.

MONDAY, MARCH 9, 2009

SECTION 64

Section 64 was adopted.

SECTION 71

Section 71 was adopted.

SECTION 74

Section 74 was adopted.

SECTION 76

Section 76 was adopted.

SECTION 78

Section 78 was adopted.

SECTION 82--ADOPTED

Rep. WHITE explained the Section.

Section 82 was adopted.

SECTION 83

Section 83 was adopted.

SECTION 84

Section 84 was adopted.

LEAVE OF ABSENCE

The SPEAKER granted Rep. H. B. BROWN a temporary leave of absence to attend the funeral of former Senator John Martin.

Rep. WHITE moved that the House recede until 2:15 p.m., which was agreed to.

THE HOUSE RESUMES

At 2:15 p.m. the House resumed, Acting Speaker FORRESTER in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

[HJ]

MONDAY, MARCH 9, 2009

SPEAKER IN CHAIR

H. 3560--AMENDED AND INTERRUPTED DEBATE

Debate was resumed on the following Bill, the pending question being the consideration of Bill, Part 1B.

H. 3560--THE GENERAL APPROPRIATION BILL

PART 1B

SECTION 90--AMENDED AND DEBATE ADJOURNED

Reps. COOPER, BINGHAM, J. E. SMITH, and SELLERS proposed the following Amendment No. 73 (Doc Name h:\legwork\house\amend\H-WM\001\arra fund auth dc jes bs.docx), which was adopted:

Amend the bill, as and if amended, Part 1B, Section 90, STATEWIDE REVENUE, page 532, after line 6, by adding an appropriately numbered paragraph to read:

/ (SR: ARRA Fund Authorization) It is the intent of the General Assembly to accept all available funds from the State Budget Stabilization Fund contained within the American Recovery and Reinvestment Act of 2009. The Office of State Budget is directed to increase agency federal fund authorizations for funds from the State Budget Stabilization Fund allocated by the General Assembly. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 108; Nays 8

Those who voted in the affirmative are:

Agnew	Alexander	Allen
Allison	Anderson	Anthony
Bales	Bannister	Barfield
Battle	Bingham	Bowen
Bowers	Brady	Branham
Brantley	R. L. Brown	Cato
Chalk	Clyburn	Cobb-Hunter

[HJ]

MONDAY, MARCH 9, 2009

Cole	Cooper	Crawford
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Haley
Hardwick	Harrell	Harrison
Hart	Harvin	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Howard	Huggins	Hutto
Jefferson	Kelly	Kennedy
King	Kirsh	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Mack
McEachern	McLeod	Merrill
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Owens	Parker
Parks	Pinson	E. H. Pitts
M. A. Pitts	Rice	Rutherford
Sandifer	Scott	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	J. E. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Thompson	Toole	Umphlett
Weeks	Whipper	White
Whitmire	Williams	Willis
Wylie	A. D. Young	T. R. Young

Total--108

Those who voted in the negative are:

Ballentine	Bedingfield	Hamilton
Millwood	Nanney	G. R. Smith
Stewart	Viers	

Total--8

So, the amendment was adopted.

MONDAY, MARCH 9, 2009

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the recorded vote on Amendment No. 73 to the Appropriation Bill, H. 3560. If I had been present, I would have voted 'yea' on the Amendment.

Rep. Douglas Jennings, Jr.

Rep. COOPER moved to adjourn debate on the Section, which was agreed to.

STATEMENT FOR THE JOURNAL

In reference to accepting the Federal Stimulus monies:

I reluctantly voted to accept the federal stimulus monies available for South Carolina. It would have been my preference not to have accepted these monies as part of our budget, provided that South Carolina citizens could have been exempted from future federal tax increases to repay the debt incurred by the package. This was not the case, however, as our citizens will face the liability of participating in the repayment whether or not the State accepts the monies.

Rep. Dwight Loftis

PART IA

SECTION 1--ADOPTED

Rep. MCLEOD proposed the following Amendment No. 103 (Doc Name h:\legwork\house\amend\H-WM\008\fatherhood final.docx), which was tabled:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 7, immediately after line 33, by inserting a new line to read:

Column 3 Column 4

Fatherhood Program/Families and Fathers Educational Services

100,000 100,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WILLIAMS explained the amendment.

Rep. J. R. SMITH moved to table the amendment.

MONDAY, MARCH 9, 2009

Rep. HART demanded the yeas and nays which were taken,
resulting as follows:

Yeas 65; Nays 52

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Daning	Duncan	Edge
Erickson	Forrester	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Kirsh	Limehouse
Littlejohn	Loftis	Long
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stewart	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

Total--65

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Anthony	Bales
Battle	Bowers	Branham
Brantley	G. A. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Crawford
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Jennings	Kennedy

MONDAY, MARCH 9, 2009

King	Lowe	Lucas
Mack	McEachern	McLeod
Merrill	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams		

Total--52

So, the amendment was tabled.

Rep. HOSEY proposed the following Amendment No. 63 (Doc Name h:\legwork\house\amend\H-WM\008\ALLENDALE EDUCATION.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 14, immediately after line 5, by inserting new lines to read:

Column 3	Column 4
Blackville CDC (NR)	
500,000	500,000
Allendale High School – Roof (NR)	
5,500,000	5,500,000
Allendale High School Track (NR)	
450,000	450,000
Construction of new elementary school in Allendale (NR)	
24,000,000	24,000,000
Hwy 301 Adult Basic Education and Alternative Learning Center in Allendale – Renovation (NR)	
10,000,000	10,000,000
Renumber sections to conform.	
Amend totals and titles to conform.	

Rep. HOSEY explained the amendment.

POINT OF ORDER

Rep. COOPER raised the Point of Order that Amendment No. 63 was out of order under Rule 5.3 (B) in that it affected the appropriations of funds of more than 5 million dollars and that there was no corresponding reduction to cover this expense.

[HJ]

MONDAY, MARCH 9, 2009

SPEAKER HARRELL sustained the Point Order and ruled the Amendment out of order.

Section 1 was adopted.

SECTION 2

Section 2 was adopted.

SECTION 3

Section 3 was adopted.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BOWERS a leave of absence for the remainder of the day due to a doctor's appointment.

SECTION 5--AMENDED AND ADOPTED

Rep. PARKS proposed the following Amendment No. 81 (Doc Name h:\legwork\house\amend\H-WM\008\JOHN DE LA HOWE ROOF.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 5, JOHN DE LA HOWE SCHOOL, page 27, immediately after line 3, by inserting a new line to read:

Column 3 Column 4

Special Item:

Roof Replacement (NR)

600,000 600,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. PARKS explained the amendment.

Rep. PINSON spoke in favor of the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. PARKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 60; Nays 56

MONDAY, MARCH 9, 2009

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Edge	Erickson	Forrester
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Kirsh
Limehouse	Littlejohn	Long
Lowe	Lucas	Millwood
Nanney	Owens	Parker
E. H. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stewart	Thompson	Toole
Umphlett	Viers	White
Wylie	A. D. Young	T. R. Young

Total--60

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Anthony	Bales
Battle	Bowers	Branham
Brantley	G. A. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Duncan	Frye	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Jennings	Kennedy
King	Mack	McEachern
McLeod	Merrill	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Neilson	Ott
Parks	Pinson	M. A. Pitts

MONDAY, MARCH 9, 2009

Rutherford	Sellers	J. E. Smith
Stavrinakis	Weeks	Whipper
Williams	Willis	

Total--56

So, the amendment was tabled.

Rep. OTT spoke against the Section.

Rep. PARKS proposed the following Amendment No. 173 (Doc Name h:\legwork\house\amend\H-WM\001\jdlh roof 270k.docx), which was adopted:

Amend the bill, as and if amended, Part IA, Section 5, JOHN DE LA HOWE SCHOOL, page 27, immediately after line 3, by inserting a new line to read:

Column 3 Column 4

Special Item:

Roof Replacement (NR)

270,000 270,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Agnew	Alexander	Allen
Allison	Anderson	Anthony
Bales	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Bowers
Brady	Branham	Brantley
G. A. Brown	R. L. Brown	Cato
Chalk	Cobb-Hunter	Cole
Cooper	Crawford	Daning
Delleney	Dillard	Duncan
Edge	Erickson	Forrester
Frye	Funderburk	Gambrell

[HJ]

MONDAY, MARCH 9, 2009

Gilliard	Govan	Gullick
Gunn	Haley	Hardwick
Harrell	Harrison	Hart
Harvin	Hayes	Herbkersman
Hodges	Horne	Hosey
Howard	Huggins	Hutto
Jefferson	Kelly	King
Kirsh	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Mack	McEachern
McLeod	Merrill	Miller
Mitchell	Moss	Nanney
J. H. Neal	J. M. Neal	Neilson
Ott	Owens	Parker
Parks	Pinson	E. H. Pitts
M. A. Pitts	Rice	Rutherford
Sandifer	Scott	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	J. E. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Thompson	Toole	Umphlett
Vick	Viers	Weeks
Whipper	White	Whitmire
Williams	Wylie	A. D. Young
T. R. Young		

Total--109

Those who voted in the negative are:

Total--0

The amendment was then adopted.

Section 5 was adopted.

SECTION 6

Section 6 was adopted.

SECTION 7

Section 7 was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 8

Section 8 was adopted.

SECTION 9

Section 9 was adopted.

SECTION 10

Section 10 was adopted.

SECTION 11

Section 11 was adopted.

SECTION 12

Section 12 was adopted.

SECTION 13

Section 13 was adopted.

SECTION 14--ADOPTED

Rep. HOSEY proposed the following Amendment No. 75 (Doc Name h:\legwork\house\amend\H-WM\004\SCSDEFERMAIN.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 14, SOUTH CAROLINA STATE UNIVERSITY, page 46, immediately after line 25, by inserting a new line to read:

Column 3	Column 4
Deferred Maintenance	
27,000,000	27,000,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 70; Nays 37

MONDAY, MARCH 9, 2009

Those who voted in the affirmative are:

Allison	Ballentine	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Harvin	Herbkersman
Hiott	Horne	Huggins
Kelly	Kirsh	Limehouse
Littlejohn	Long	Lowe
Lucas	Merrill	Millwood
Nanney	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott
Sellers	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Toole
Umphlett	Viers	White
Whitmire	Wylie	A. D. Young
T. R. Young		

Total--70

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Bowers
Branham	Brantley	G. A. Brown
H. B. Brown	R. L. Brown	Clyburn
Dillard	Funderburk	Gilliard
Hodges	Hosey	Howard
Hutto	Jefferson	Jennings
Kennedy	King	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
Neilson	Parks	J. E. Smith

MONDAY, MARCH 9, 2009

Vick	Weeks	Whipper
Williams		

Total--37

So, the amendment was tabled.

Section 14 was adopted.

SECTION 15A

Section 15A was adopted.

SECTION 15B

Section 15B was adopted.

SECTION 15D

Section 15D was adopted.

SECTION 15E

Section 15E was adopted.

SECTION 15F

Section 15F was adopted.

SECTION 15G

Section 15G was adopted.

SECTION 16

Section 16 was adopted.

SECTION 17A

Section 17A was adopted.

SECTION 17B

Section 17B was adopted.

SECTION 18--ADOPTED

Rep. WILLIAMS proposed the following Amendment No. 163 (Doc Name h:\legwork\house\amend\H-WM\004\familyfath2.docx), which was tabled:

[HJ]

MONDAY, MARCH 9, 2009

Amend the bill, as and if amended, Part IA, Section 18, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 74, line 36, by inserting a new line to read:

Column 3 Column 4

Families and Fathers Educational Services

200,000 200,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. JEFFERSON explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. JEFFERSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 49

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Kirsh	Limehouse
Littlejohn	Loftis	Lucas
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Thompson	Toole	Umphlett
Viers	White	Whitmire

MONDAY, MARCH 9, 2009

Willis	Wylie	A. D. Young
T. R. Young		

Total--64

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Battle
Branham	Brantley	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Crawford	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jefferson	Jennings
Kennedy	King	Lowe
Mack	McEachern	McLeod
Merrill	Miller	Mitchell
Moss	J. H. Neal	Neilson
Ott	Parks	Rutherford
Sellers	J. E. Smith	Stavrinakis
Vick	Weeks	Whipper
Williams		

Total--49

So, the amendment was tabled.

Section 18 was adopted.

SECTION 19

Section 19 was adopted.

SECTION 21

Section 21 was adopted.

SECTION 22--ADOPTED

Rep. HOSEY proposed the following Amendment No. 61 (Doc Name h:\legwork\house\amend\H-WM\009\HEALING SPRINGS.DOCX), which was tabled:

[HJ]

MONDAY, MARCH 9, 2009

Amend the bill, as and if amended, Part IA, Section 22,
DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL,
page 93, immediately after line 21, by inserting a new line to read:

Column 3 Column 4

Blackville Healing Springs Reservoir Restoration - NR

100,000 100,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. EDGE moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken,
resulting as follows:

Yeas 64; Nays 44

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Cooper
Crawford	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Haley
Hamilton	Hardwick	Harrell
Hearn	Herbkersman	Hiott
Horne	Huggins	Kirsh
Limehouse	Littlejohn	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Umphlett
Viers	White	Whitmire

MONDAY, MARCH 9, 2009

Willis	Wylie	A. D. Young
T. R. Young		

Total--64

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Gilliard	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jefferson	Jennings
Kennedy	King	Mack
McEachern	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Toole	Vick	Weeks
Whipper	Williams	

Total--44

So, the amendment was tabled.

Rep. HOSEY proposed the following Amendment No. 57 (Doc Name h:\legwork\house\amend\H-WM\005\ROSEMARY CREEK.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 22, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 100, immediately after line 5, by inserting a new line to read:

Column 3	Column 4
Rosemary Creek	
\$100,000	\$100,000
Renumber sections to conform.	
Amend totals and titles to conform.	

Rep. HOSEY explained the amendment.

Rep. COOPER moved to table the amendment.

[HJ]

MONDAY, MARCH 9, 2009

Rep. HOSEY demanded the yeas and nays which were taken,
resulting as follows:

Yeas 68; Nays 41

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Hearn
Herbkersman	Hiott	Horne
Huggins	Kirsh	Limehouse
Littlejohn	Long	Lowe
Lucas	Merrill	Millwood
Moss	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

Total--68

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hayes
Hodges	Hosey	Hutto
Jefferson	Jennings	Kennedy
King	Mack	McEachern

MONDAY, MARCH 9, 2009

McLeod	Miller	Mitchell
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Rutherford
Sellers	J. E. Smith	Vick
Weeks	Williams	

Total--41

So, the amendment was tabled.

Rep. HOSEY proposed the following Amendment No. 58 (Doc Name h:\legwork\house\amend\H-WM\005\HALFORD WASTER WATER.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 22, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 100, immediately after line 5, by inserting a new line to read:

Column 3	Column 4
Halford Water Pump	
\$100,000	\$100,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 65; Nays 36

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Brady	Cato
Chalk	Cooper	Crawford
Daning	Delleney	Duncan
Edge	Erickson	Frye
Gambrell	Gullick	Haley
Hamilton	Hardwick	Harrell
Hearn	Herbkersman	Hiott
Huggins	Limehouse	Littlejohn

[HJ]

MONDAY, MARCH 9, 2009

Loftis	Long	Lowe
Lucas	Merrill	Millwood
Moss	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Toole
Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

Total--65

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
Cobb-Hunter	Gilliard	Govan
Hart	Harvin	Hodges
Hosey	Hutto	Jefferson
Jennings	Kennedy	King
Mack	McEachern	McLeod
Miller	Mitchell	J. H. Neal
J. M. Neal	Neilson	Rutherford
Sellers	J. E. Smith	Vick
Weeks	Whipper	Williams

Total--36

So, the amendment was tabled.

Section 22 was adopted.

SECTION 23--ADOPTED

Reps. PARKS AND PINSON proposed the following Amendment No. 114 (Doc Name h:\legwork\house\amend\H-WM\005\MCCORKMICK DMH - 800K.DOCX), which was tabled:

[HJ]

MONDAY, MARCH 9, 2009

Amend the bill, as and if amended, Part IA, Section 23, DEPARTMENT OF MENTAL HEALTH, page 107, immediately after line 34, by inserting a new line to read:

Column 3	Column 4
McCormick Building	
\$800,000	\$800,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. PARKS explained the amendment.

Rep. EDGE moved to table the amendment.

Rep. PARKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 42

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Lowe
Lucas	Merrill	Millwood
Moss	Nanney	Owens
Parker	E. H. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

MONDAY, MARCH 9, 2009

Total--66

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan
Hart	Harvin	Hayes
Hodges	Hosey	Howard
Hutto	Jennings	Kennedy
King	McEachern	McLeod
Miller	Mitchell	J. H. Neal
J. M. Neal	Ott	Parks
Pinson	M. A. Pitts	Rutherford
Sellers	J. E. Smith	Vick
Weeks	Whipper	Williams

Total--42

So, the amendment was tabled.

Reps. PARKS and PINSON proposed the following Amendment No. 116 (Doc Name h:\legwork\house\amend\H-WM\005\mccormick dmh - 300k.docx), which was tabled:

Amend the bill, as and if amended, Part IA, Section 23, DEPARTMENT OF MENTAL HEALTH, page 107, immediately after line 34, by inserting a new line to read:

Column 3 Column 4
McCormick Building
\$300,000 \$300,000
Renumber sections to conform.
Amend totals and titles to conform.

Rep. PARKS explained the amendment.

Rep. EDGE moved to table the amendment.

MONDAY, MARCH 9, 2009

Rep. PARKS demanded the yeas and nays which were taken,
resulting as follows:

Yeas 63; Nays 40

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Chalk
Cole	Cooper	Crawford
Delleney	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Nanney	Owens
Parker	E. H. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--63

Those who voted in the negative are:

Alexander	Allen	Anthony
Bales	Branham	Brantley
G. A. Brown	H. B. Brown	Clyburn
Cobb-Hunter	Dillard	Gilliard
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Hutto	Jefferson	Jennings
King	Mack	McEachern
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Parks	Pinson	M. A. Pitts

MONDAY, MARCH 9, 2009

Rutherford	Sellers	J. E. Smith
Vick	Weeks	Whipper
Williams		

Total--40

So, the amendment was tabled.

Section 23 was adopted.

SECTION 24--ADOPTED

Reps. GILLIARD and KING proposed the following Amendment No. 13 (Doc Name h:\legwork\house\amend\H-WM\005\CHILD'S WEB CENTER.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 24, DEPARTMENT OF DISABILITIES & SPECIAL NEEDS, page 113, immediately after line 5, by inserting a new line to read:

Column 3	Column 4
Child's Web Center	
\$250,000	\$250,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. GILLIARD explained the amendment.

Rep. EDGE spoke against the amendment and moved to table the amendment.

Rep. COOPER demanded the yeas and nays which were taken, resulting as follows:

Yeas 65; Nays 45

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Gullick

[HJ]

MONDAY, MARCH 9, 2009

Haley	Hamilton	Harrell
Harrison	Hayes	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Lowe
Lucas	Merrill	Millwood
Moss	Nanney	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Thompson
Toole	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

Total--65

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Daning	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Harvin	Hodges
Hosey	Howard	Hutto
Jefferson	Jennings	Kennedy
King	Mack	McEachern
McLeod	Miller	Mitchell
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Scott
J. E. Smith	Stavrinakis	Umphlett
Vick	Whipper	Williams

Total--45

So, the amendment was tabled.

Section 24 was adopted.

MONDAY, MARCH 9, 2009

SECTION 25

Section 25 was adopted.

SECTION 26--ADOPTED

Rep. HOSEY proposed the following Amendment No. 56 (Doc Name h:\legwork\house\amend\H-WM\005\ALLENDALE DSS BUILDING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 127, immediately after line 16, by inserting a new line to read:

Column 3	Column 4
Allendale DSS Building	
\$500,000	\$500,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Barfield
Battle	Bedingfield	Bingham
Bowen	Cato	Chalk
Cole	Cooper	Crawford
Delleney	Duncan	Edge
Forrester	Frye	Gambrell
Haley	Hamilton	Hardwick
Harrell	Hayes	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Millwood
Moss	Nanney	Owens
Parker	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott

[HJ]

MONDAY, MARCH 9, 2009

Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

Total--64

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Cobb-Hunter	Dillard
Funderburk	Gilliard	Gunn
Harvin	Hodges	Hosey
Hutto	Jefferson	Jennings
King	Mack	McEachern
McLeod	Miller	Mitchell
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Sellers
Vick	Weeks	Whipper
Williams		

Total--37

So, the amendment was tabled.

Rep. SKELTON proposed the following Amendment No. 183 (Doc Name h:\legwork\house\amend\H-WM\001\preg prev.docx) which was tabled:

Amend the bill, as and if amended, Part IA, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 126, lines 3-4, opposite /Continuation Teen Pregnancy Prevention/ by decreasing the amount(s) in Columns 3 and 4 by:

Column 3 Column 4

1,200,000 1,200,000

Renumber sections to conform.

Amend totals and titles to conform.

MONDAY, MARCH 9, 2009

Rep. SKELTON explained the amendment.

Rep. LOFTIS spoke against the amendment.

Rep. EDGE moved to table the amendment, which was agreed to.

Rep. SKELTON proposed the following Amendment No. 160 (Doc Name h:\legwork\house\amend\H-WM\005\PREGNANCY PREVENTION DECREASE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 126, lines 3-4, opposite /Continuation Teen Pregnancy Prevention/ by decreasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
400,000	400,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SKELTON explained the amendment.

Rep. LOFTIS moved to table the amendment, which was agreed to.

Rep. Dillard proposed the following Amendment No. 16 (Doc Name h:\legwork\house\amend\H-WM\005\FATHERHOOD.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 126, immediately after line 34, by inserting a new line to read:

Column 3	Column 4
Fatherhood Program	
\$200,000	\$200,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WILLIAMS explained the amendment.

Rep. EDGE moved to table the amendment, which was agreed to.

Section 26 was adopted.

SECTION 29

Section 29 was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 30

Section 30 was adopted.

SECTION 31

Section 31 was adopted.

SECTION 33

Section 33 was adopted.

SECTION 36--ADOPTED

Reps. GOVAN and KING proposed the following Amendment No. 98 (Doc Name h:\legwork\house\amend\H-WM\009\SC STATE PSA FULL.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 36, SOUTH CAROLINA STATE UNIVERSITY-PUBLIC SERVICE ACTIVITIES, page 154, line 24, opposite /Other Operating Expenses/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
687,747	687,747

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GOVAN explained the amendment.

Rep. LUCAS spoke against the amendment.

Rep. LUCAS moved to table the amendment.

Rep. COOPER demanded the yeas and nays which were taken, resulting as follows:

Yeas 69; Nays 40

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Cole
Cooper	Crawford	Daning
Delleney	Duncan	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton

[HJ]

MONDAY, MARCH 9, 2009

Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Moss
Nanney	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--69

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Branham	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Harvin	Hodges	Hosey
Howard	Hutto	Jefferson
Jennings	Kennedy	King
Mack	McEachern	McLeod
Miller	Mitchell	J. H. Neal
J. M. Neal	Neilson	Ott
Parks	Rutherford	Sellers
J. E. Smith	Weeks	Whipper
Williams		

Total--40

So, the amendment was tabled.

Rep. KING and GOVAN proposed the following Amendment No. 72 (Doc Name h:\legwork\house\amend\H-WM\009\SCS PSA REDUCTION.DOCX), which was tabled:

[HJ]

MONDAY, MARCH 9, 2009

Amend the bill, as and if amended, Part IA, Section 36, SOUTH CAROLINA STATE UNIVERSITY-PUBLIC SERVICE ACTIVITIES, page 154, line 24, opposite /Other Operating Expenses/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
441,066	441,066

Renumber sections to conform.

Amend totals and titles to conform.

Rep. KING explained the amendment.

Rep. LUCAS moved to table the amendment.

Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 33

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Erickson	Forrester
Frye	Gambrell	Gullick
Haley	Hamilton	Hardwick
Harrell	Hearn	Herbkersman
Hiott	Horne	Huggins
Hutto	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Merrill
Millwood	Moss	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Thompson
Toole	Umphlett	White

MONDAY, MARCH 9, 2009

Willis	Wylie	A. D. Young
T. R. Young		

Total--67

Those who voted in the negative are:

Anderson	Anthony	Bales
Branham	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Govan	Hart
Harvin	Hodges	Hosey
Howard	Jefferson	Kennedy
King	Mack	McEachern
McLeod	Miller	Mitchell
J. H. Neal	Ott	Parks
Rutherford	Sellers	J. E. Smith
Vick	Weeks	Williams

Total--33

So, the amendment was tabled.

Section 36 was adopted.

SECTION 39--ADOPTED

Rep. SANDIFER proposed the following Amendment No. 111 (Doc Name h:\legwork\house\amend\H-WM\001\PRTSALARYSANDIFER.DOCX), which was rejected:

Amend the bill, as and if amended, Part IA, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 168, line 4, opposite /director/ by decreasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
100,504	100,504

Amend the bill further, as and if amended, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 170, line 14, opposite /classified positions/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
100,504	100,504

[HJ]

MONDAY, MARCH 9, 2009

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SANDIFER explained the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken,
resulting as follows:

Yeas 26; Nays 74

Those who voted in the affirmative are:

Bedingfield	Bowen	Brady
Branham	H. B. Brown	Cato
Delleney	Forrester	Frye
Gullick	Howard	Kelly
Littlejohn	Loftis	Merrill
Miller	Nanney	Parker
Rice	Rutherford	Sandifer
Stavrinakis	Umphlett	Vick
Whitmire	A. D. Young	

Total--26

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Ballentine	Bannister
Barfield	Battle	Bingham
R. L. Brown	Chalk	Clyburn
Cobb-Hunter	Cole	Cooper
Crawford	Daning	Dillard
Duncan	Erickson	Funderburk
Gilliard	Govan	Haley
Hamilton	Harrell	Harvin
Hayes	Hearn	Herbkersman
Hiott	Hodges	Horne
Hosey	Huggins	Hutto
Jefferson	Jennings	King
Limehouse	Lowe	Lucas
Mack	McEachern	McLeod
Millwood	Mitchell	Moss
Ott	Owens	Parks
Pinson	E. H. Pitts	M. A. Pitts

MONDAY, MARCH 9, 2009

Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stewart	Thompson
Toole	Viers	Weeks
Whipper	Williams	Willis
Wylie	T. R. Young	

Total--74

So, the amendment was rejected.

Rep. HOSEY proposed the following Amendment No. 59 (Doc Name h:\legwork\house\amend\H-WM\009\COMMUNITY HUT.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 169, immediately after line 18, by inserting a new line to read:

Column 3 Column 4
Fairfax Community Hut Resoration - NR
200,000 200,000
Renumber sections to conform.
Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 70; Nays 37

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Cole
Cooper	Crawford	Daning
Delleney	Duncan	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton

[HJ]

MONDAY, MARCH 9, 2009

Hardwick	Harrell	Hayes
Hearn	Herbkersman	Hiott
Horne	Huggins	Kelly
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

Total--70

Those who voted in the negative are:

Alexander	Allen	Anderson
Anthony	Bales	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Hart	Hodges	Hosey
Howard	Hutto	Jefferson
Jennings	King	Mack
McEachern	McLeod	Miller
Mitchell	Moss	J. H. Neal
J. M. Neal	Ott	Sellers
J. E. Smith	Vick	Weeks
Williams		

Total--37

So, the amendment was tabled.

Section 39 was adopted.

MONDAY, MARCH 9, 2009

SECTION 40--ADOPTED

Rep. SANDIFER proposed the following Amendment No. 150 (Doc Name h:\legwork\house\amend\H-WM\001\commerce salary sandifer.docx), which was tabled:

Amend the bill, as and if amended, Part IA, Section 40, DEPARTMENT OF COMMERCE, page 173, line 4, opposite /director/ by decreasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
140,000	140,000

Amend the bill further, as and if amended, Section 40, DEPARTMENT OF COMMERCE, page 175, line 1, opposite /other operating expenses/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
140,000	140,000

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SANDIFER explained the amendment.

Rep. SANDIFER moved to table the amendment.

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 104; Nays 2

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anderson	Anthony	Bales
Ballentine	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Branham	H. B. Brown
R. L. Brown	Cato	Chalk
Clyburn	Cobb-Hunter	Cooper
Crawford	Daning	Delleney
Dillard	Duncan	Edge
Erickson	Forrester	Frye
Funderburk	Gambrell	Gilliard
Haley	Hamilton	Hardwick
Harrell	Harrison	Harvin

[HJ]

MONDAY, MARCH 9, 2009

Hayes	Hearn	Herbkersman
Hiott	Hodges	Horne
Hosey	Huggins	Hutto
Jefferson	Jennings	Kennedy
King	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Mack	McEachern
McLeod	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Rutherford	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Thompson	Toole	Umphlett
Vick	Viers	Weeks
Whipper	White	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

Total--104

Those who voted in the negative are:
Gullick Kelly

Total--2

So, the amendment was tabled.

Rep. WHIPPER proposed the following Amendment No. 170 (Doc Name h:\legwork\house\amend\H-WM\003\COM REDUCTION.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 40, DEPARTMENT OF COMMERCE, page 175, line 21, opposite /Bus. Devel. Mktg./ by decreasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
1,000,000	1,000,000

[HJ]

MONDAY, MARCH 9, 2009

Renumber sections to conform.
Amend totals and titles to conform.

Rep. WHIPPER explained the amendment.

Rep. LUCAS moved to table the amendment.

The amendment was then tabled by a division vote of 56 to 29.

Rep. SELLERS spoke upon the Section.

Section 40 was adopted.

SECTION 43

Section 43 was adopted.

SECTION 44--ADOPTED

Rep. WHIPPER proposed the following Amendment No. 169 (Doc Name h:\legwork\house\amend\H-WM\003\DIVERSIONPROGRAM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 184, immediately after line 25, by inserting a new line to read:

Column 3	Column 4
Special Diversion Program	
1,000,000	1,000,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. WHIPPER explained the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Rep. WILLIAMS proposed the following Amendment No. 24 (Doc Name h:\legwork\house\amend\H-WM\003\FATHERHOOD.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 185, immediately after line 16, by inserting a new line to read:

[HJ]

MONDAY, MARCH 9, 2009

Column 3	Column 4
Fatherhood Program NR	
200,000	200,000

Renumber sections to conform.
Amend totals and titles to conform.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Section 44 was adopted.

SECTION 45--ADOPTED

Rep. SIMRILL proposed the following Amendment No. 191 (Doc Name h:\legwork\house\amend\H-WM\003\WATERLITIGLINE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 45, ATTORNEY GENERAL'S OFFICE, page 187, immediately after line 26, by inserting a new line to read:

Column 3	Column 4
Water Litigation	
NR 250,000	0

Renumber sections to conform.
Amend totals and titles to conform.

Rep. SIMRILL explained the amendment.
Rep. SIMRILL spoke in favor of the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section.

Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 93; Nays 2

Those who voted in the affirmative are:

Allen	Allison	Anderson
Anthony	Bales	Ballentine
Bannister	Battle	Bedingfield

[HJ]

MONDAY, MARCH 9, 2009

Bingham	Bowen	Brady
G. A. Brown	R. L. Brown	Cato
Chalk	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daniny	Delleney	Dillard
Duncan	Erickson	Frye
Funderburk	Gambrell	Govan
Gullick	Haley	Hamilton
Hardwick	Harrell	Harrison
Harvin	Hayes	Herbkersman
Hiott	Hodges	Horne
Hosey	Huggins	Hutto
Jefferson	Kelly	Littlejohn
Long	Lowe	Lucas
Mack	McEachern	McLeod
Merrill	Miller	Millwood
Mitchell	Moss	Nanney
J. H. Neal	Neilson	Ott
Owens	Parker	Parks
Pinson	M. A. Pitts	Rice
Rutherford	Sandifer	Sellers
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. E. Smith	J. R. Smith
Spires	Stavrinakis	Stewart
Thompson	Toole	Umphlett
Vick	Weeks	Whipper
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--93

Those who voted in the negative are:
King Williams

Total--2

Section 45 was adopted.

SECTION 46

Section 46 was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 47

Section 47 was adopted.

SECTION 48

Section 48 was adopted.

SECTION 49

Section 49 was adopted.

SECTION 51

Section 51 was adopted.

SECTION 52

Section 52 was adopted.

SECTION 53

Section 53 was adopted.

SECTION 54

Section 54 was adopted.

SECTION 55

Section 55 was adopted.

SECTION 57

Section 57 was adopted.

SECTION 66

Section 66 was adopted.

SECTION 67

Section 67 was adopted.

SECTION 68A

Section 68A was adopted.

SECTION 68B

Section 68B was adopted.

SECTION 68C

Section 68C was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 71

Section 71 was adopted.

SECTION 72A

Section 72A was adopted.

SECTION 72B

Section 72B was adopted.

SECTION 72C

Section 72C was adopted.

SECTION 74

Section 74 was adopted.

SECTION 75

Section 75 was adopted.

SECTION 77

Section 77 was adopted.

SECTION 78

Section 78 was adopted.

SECTION 80A--ADOPTED

Rep. HART spoke upon the Section.

Section 80A was adopted.

SECTION 80C

Section 80C was adopted.

SECTION 81

Section 81 was adopted.

SECTION 82

Section 82 was adopted.

SECTION 84

Section 84 was adopted.

[HJ]

MONDAY, MARCH 9, 2009

SECTION 85--ADOPTED

Reps. HARVIN and MCLEOD proposed the following Amendment No. 175 (Doc Name h:\legwork\house\amend\H-WM\007\TREAS AND AUD.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 85, AID TO SUBDIVISIONS-COMPTROLLER GENERAL, page 313, line 10, opposite /aid cnty-auditors/ by increasing the amount(s) in Column 3 by:

Column 3	Column 4
98,670	

Amend the bill further, as and if amended, Section 85, AID TO SUBDIVISIONS-COMPTROLLER GENERAL, page 313, line 11, opposite /aid cnty-treasurers/ by increasing the amount(s) in Column 3 by:

Column 3	Column 4
98,669	

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HARVIN explained the amendment.

Rep. COOPER moved to table the amendment, which was agreed to.

Section 85 was adopted.

SECTION 86--AMENDED AND ADOPTED

Reps. COOPER and WHITE proposed the following Amendment No. 2 (Doc Name h:\legwork\house\amend\H-WM\001\LGF 05-06 LEVEL.DOCX), which was adopted:

Amend the bill, as and if amended, Part IA, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 314, line 03, opposite /aid - local gov't fund/ by increasing the amount(s) in Columns 3 and 4 by:

Column 3	Column 4
72,445,011	72,445,011

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

[HJ]

MONDAY, MARCH 9, 2009

Rep. OTT spoke against the amendment.

Rep. OTT spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 82; Nays 30

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Branham
R. L. Brown	Cato	Chalk
Cole	Cooper	Crawford
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Haley
Hamilton	Hardwick	Harrell
Harrison	Harvin	Hayes
Hearn	Herbkersman	Hiott
Horne	Huggins	Hutto
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Miller
Millwood	Moss	Nanney
J. M. Neal	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Stewart	Thompson	Toole
Umphlett	Vick	Viers
Weeks	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

Total--82

MONDAY, MARCH 9, 2009

Those who voted in the negative are:

Allen	Anderson	Bales
G. A. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Gilliard
Govan	Gunn	Hart
Hodges	Hosey	Jefferson
Jennings	Kennedy	King
Mack	McEachern	McLeod
Mitchell	J. H. Neal	Ott
Parks	Rutherford	Sellers
J. E. Smith	Whipper	Williams

Total--30

So, the amendment was adopted.

LEAVE OF ABSENCE

The SPEAKER granted Rep. PINSON a temporary leave of absence.

Rep. HOSEY proposed the following Amendment No. 108 (Doc Name h:\legwork\house\amend\H-WM\006\ALLENDALE COUNTY REST.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 314, immediately after line 5, by inserting a new line to read:

Column 3	Column 4
Allendale County Restoration - NR	
283,539	283,539

Renumber sections to conform.
Amend totals and titles to conform.

Rep. HOSEY explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. HOSEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 27

MONDAY, MARCH 9, 2009

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Duncan	Erickson	Forrester
Frye	Gambrell	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Loftis	Long
Lowe	Lucas	Millwood
Moss	Nanney	Parker
E. H. Pitts	M. A. Pitts	Rice
Rutherford	Sandifer	Scott
Simrill	Skelton	D. C. Smith
G. R. Smith	J. R. Smith	Spires
Stavrinakis	Stewart	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--63

Those who voted in the negative are:

Anderson	Bales	Clyburn
Cobb-Hunter	Dillard	Funderburk
Gilliard	Govan	Gunn
Harvin	Hodges	Hosey
Hutto	Jefferson	Jennings
Kennedy	King	Mack
McEachern	Miller	Mitchell
Ott	Parks	J. E. Smith
Vick	Weeks	Williams

Total--27

So, the amendment was tabled.

MONDAY, MARCH 9, 2009

HOUSE STANDS AT EASE

The House stood at ease, subject to the call of the Chair.

THE HOUSE RESUMES

At 7:15 p.m. the House resumed, the SPEAKER in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

SECTION 86

Debate was resumed on Section 86, the pending question being the adoption of the section.

Section 86 was adopted.

SECTION 86A

Section 86A was adopted.

PART IB

SECTION 1--AMENDED AND ADOPTED

Rep. J. R. SMITH proposed the following Amendment No. 30 (h:\amend\h-wm\008\fiscal year reference update for 1 43.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 338, paragraph 1.43, line 27, by striking /2008-2009/ and inserting /2009-2010/

Re-number sections to conform.

Amend totals and titles to conform.

The amendment was then adopted.

Rep. J. E. SMITH proposed the following Amendment No. 193 (Doc Name h:\legwork\house\amend\H-WM\001\NTL BD ONE CYCLE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 339, paragraph 1.48, lines 12-13, by striking: / The \$7,500 salary supplement shall only be paid for the initial ten-year certification. /

MONDAY, MARCH 9, 2009

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. J. E. SMITH demanded the yeas and nays which were taken,
resulting as follows:

Yeas 33; Nays 58

Those who voted in the affirmative are:

Bannister	Barfield	Bedingfield
Cato	Chalk	Cooper
Crawford	Daning	Delleney
Edge	Erickson	Frye
Hamilton	Hardwick	Hiott
Horne	Limehouse	Littlejohn
Merrill	Millwood	Nanney
E. H. Pitts	M. A. Pitts	Sandifer
Scott	G. R. Smith	J. R. Smith
Sottile	Spires	Stewart
Umphlett	White	A. D. Young

Total--33

Those who voted in the negative are:

Allison	Anthony	Bales
Ballentine	Bingham	Bowen
Branham	G. A. Brown	R. L. Brown
Clyburn	Cole	Dillard
Duncan	Funderburk	Gilliard
Govan	Gunn	Haley
Harrell	Harvin	Hayes
Hodges	Hosey	Huggins
Hutto	Jefferson	Jennings
Kennedy	King	Long
Lowe	Lucas	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Owens	Parker	Rice

MONDAY, MARCH 9, 2009

Sellers	Simrill	D. C. Smith
G. M. Smith	J. E. Smith	Stavrinakis
Thompson	Toole	Vick
Viers	Weeks	Whipper
Williams	Willis	Wylie
T. R. Young		

Total--58

So, the House refused to table the amendment.

Rep. COOPER spoke against the amendment.

POINT OF ORDER

Rep. J. E. SMITH raised the Point of Order that Section 1.48 was out of order in that it was not germane to the Bill as it related to future budgets for the next ten years.

SPEAKER HARRELL stated that Section 1.48 did relate to the current year and subsequent years. He stated further that a Member could not raise a "line item" point of order on a sentence or phrase located within a paragraph of a Part IB proviso. He therefore overruled the Point of Order.

Rep. COOPER continued speaking.

Rep. STAVRINAKIS spoke in favor of the amendment.

Rep. J. R. SMITH spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 42

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anthony	Bales	Ballentine
Bowen	Brady	Branham
G. A. Brown	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Cole
Delleney	Dillard	Edge
Forrester	Funderburk	Gilliard

[HJ]

MONDAY, MARCH 9, 2009

Govan	Gunn	Haley
Hardwick	Harrell	Harrison
Hart	Harvin	Hayes
Hearn	Hodges	Hosey
Howard	Huggins	Hutto
Jefferson	Jennings	Kennedy
King	Long	Lowe
Mack	McEachern	McLeod
Miller	Millwood	Mitchell
Moss	J. H. Neal	Ott
Parks	Rice	Scott
Sellers	Simrill	Skelton
G. M. Smith	J. E. Smith	Stavrinakis
Thompson	Vick	Weeks
Whipper	Williams	Wylie
T. R. Young		

Total--67

Those who voted in the negative are:

Bannister	Barfield	Battle
Bedingfield	Bingham	Cato
Chalk	Cooper	Crawford
Daning	Duncan	Erickson
Frye	Gambrell	Hamilton
Hiott	Horne	Kelly
Limehouse	Littlejohn	Loftis
Merrill	Nanney	J. M. Neal
Neilson	Owens	Parker
E. H. Pitts	M. A. Pitts	Sandifer
D. C. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stewart
Toole	Umphlett	Viers
White	Willis	A. D. Young

Total--42

So, the amendment was adopted.

MONDAY, MARCH 9, 2009

Reps. J. R. SMITH and WHITE proposed the following Amendment No. 197 (Doc Name h:\legwork\house\amend\H-WM\008\RTF LANG CHANGE FINAL.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 351, paragraph 1.77, line 12, by striking /may choose to/ and inserting /must/

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 351, paragraph 1.77, line 13, by striking /either at a facility school district school or/ and after /at the RTF's facility/ by inserting ,provided that the RTF facility provides and maintains adequate space for the educational programs and services consistent with the least restrictive environment requirements./

Amend the bill further, as and if amended, Section 1, DEPARTMENT OF EDUCATION, page 351, paragraph 1.77, line 20, by inserting after /contracting with the RTF/

/ provided that the RTF agrees /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. R. L. BROWN proposed the following Amendment No. 17 (Doc Name h:\legwork\house\amend\H-WM\003\SDE TRANSPARENCY.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 11, by adding an appropriately numbered paragraph to read:

/ 1. (SDE: Transparency) The department must publish on its' homepage a listing of all programs funded during the current fiscal year with Federal Stimulus Funds to include program name, location, starting date, funding level and contact person with telephone number. this listing must be updated monthly to allow the public to easily identify how these funds are being used./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. R. L. BROWN explained the amendment.

MONDAY, MARCH 9, 2009

Rep. BALLENTINE demanded the yeas and nays which were taken,
resulting as follows:

Yeas 109; Nays 1

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anthony	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Branham	G. A. Brown
H. B. Brown	R. L. Brown	Cato
Chalk	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gunn	Haley	Hamilton
Hardwick	Harrell	Harrison
Hart	Harvin	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Howard	Huggins	Hutto
Jefferson	Jennings	Kelly
Kennedy	King	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Mack
McEachern	McLeod	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Ott	Owens
Parker	Parks	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Sellers	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Thompson
Toole	Umphlett	Vick
Viers	Weeks	Whipper
White	Whitmire	Williams

MONDAY, MARCH 9, 2009

Willis	Wylie	A. D. Young
T. R. Young		

Total--109

Those who voted in the negative are:
Stewart

Total--1

So, the amendment was adopted.

**AMENDMENT NO. 193--MOTION TO RECONSIDER
TABLED**

Rep. J. E. SMITH moved to reconsider the vote whereby
Amendment No. 193 was adopted.

Rep. J. E. SMITH moved to table the motion to reconsider.

Rep. G. R. SMITH demanded the yeas and nays which were taken,
resulting as follows:

Yeas 77; Nays 34

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anthony	Bales	Ballentine
Battle	Bowen	Brady
Branham	G. A. Brown	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Cole	Delleney	Dillard
Duncan	Erickson	Forrester
Funderburk	Gilliard	Govan
Gunn	Haley	Hardwick
Harrell	Harrison	Hart
Harvin	Hayes	Hearn
Herbkersman	Hodges	Horne
Hosey	Howard	Huggins
Hutto	Jefferson	Jennings
Kelly	Kennedy	King
Long	Lowe	Lucas

[HJ]

MONDAY, MARCH 9, 2009

Mack	McEachern	McLeod
Miller	Millwood	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parker
Parks	Rice	Scott
Sellers	Simrill	Skelton
G. M. Smith	J. E. Smith	Stavrinakis
Thompson	Vick	Weeks
Whipper	Whitmire	Williams
Wylie	T. R. Young	

Total--77

Those who voted in the negative are:

Bannister	Barfield	Bedingfield
Bingham	Cato	Chalk
Cooper	Crawford	Daning
Frye	Gambrell	Hamilton
Hiott	Limehouse	Littlejohn
Loftis	Merrill	Nanney
Owens	E. H. Pitts	M. A. Pitts
Sandifer	D. C. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stewart	Toole	Umphlett
Viers	White	Willis
A. D. Young		

Total--34

So, the motion to reconsider was tabled.

Rep. HALEY proposed the following Amendment No. 134 (Doc Name h:\legwork\house\amend\H-WM\001\SDE NOT USE ARRA FOR DPT ADM HALEY.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/ (SDE: Prohibit Use of ARRA for Administration) The department is prohibited from using funds received from the American Recovery and Reinvestment Act of 2009 for state department administrative

MONDAY, MARCH 9, 2009

purposes. The department shall provide to the General Assembly a list of federal stimulus expenditures./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anthony	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Branham	G. A. Brown
H. B. Brown	R. L. Brown	Cato
Chalk	Cole	Cooper
Crawford	Daning	Delleney
Dillard	Duncan	Edge
Erickson	Forrester	Frye
Funderburk	Gambrell	Gilliard
Govan	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Hart	Harvin
Hayes	Hearn	Herbkersman
Hiott	Hodges	Horne
Hosey	Huggins	Hutto
Jefferson	Jennings	Kelly
King	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Mack	McEachern
McLeod	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. H. Neal	J. M. Neal
Neilson	Ott	Owens
Parker	Parks	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Sellers
Simrill	Skelton	D. C. Smith

[HJ]

MONDAY, MARCH 9, 2009

G. M. Smith	G. R. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Toole
Umphlett	Vick	Viers
Weeks	White	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

Total--107

Those who voted in the negative are:

Total--0

So, the amendment was adopted.

Rep. HALEY proposed the following Amendment No. 130 (Doc Name h:\legwork\house\amend\H-WM\001\ARRA NR ONLY HALEY.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/ (SDE: Limit A.R.R.A. Funds to Non-Recurring Purposes) The Department of Education is prohibited from using funds received from the American Recovery and Reinvestment Act of 2009 for recurring budgetary items and such funds shall only be used for non-recurring purposes. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. HALEY moved to table the amendment, which was agreed to.

Rep. HALEY proposed the following Amendment No. 132 (Doc Name h:\legwork\house\amend\H-WM\001\sde arra nr only possible haley.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

[HJ]

MONDAY, MARCH 9, 2009

/ (SDE: Use A.R.R.A. Funds for Non-Recurring Purposes) The Department of Education is directed, to the extent possible, to use funds received from the American Recovery and Reinvestment Act of 2009 for non-recurring purposes. The department shall provide to the General Assembly a list of federal stimulus expenditures./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. J. R. SMITH spoke against the amendment.

Rep. HALEY moved to table the amendment, which was agreed to.

Rep. SELLERS proposed the following Amendment No. 158 (Doc Name h:\legwork\house\amend\H-WM\008\POVERTYWEIGHTING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/ (SDE: Education Finance Act Poverty Weighting) There is created within the Education Finance Act of Chapter 20, Title 59 an add-on weighting for poverty that has the value of .20. Poverty is defined as children eligible for the Federal free and reduced price lunch program. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

POINT OF ORDER

Rep. CHALK raised the Point of Order that Amendment No. 158 was out of order in that it attempted to make a change to permanent law.

SPEAKER HARRELL stated that the Amendment was appropriate in its attempt to change permanent law and he overruled the Point of Order.

Rep. SELLERS spoke in favor of the amendment.

MONDAY, MARCH 9, 2009

POINT OF ORDER

Rep. CRAWFORD raised the Point of Order that Amendment No. 158 was out of order under Rule 5.3 (B) in that it affected the appropriations of funds exceeding five million dollars and that there was no corresponding resources to cover the additional expenses.

SPEAKER HARRELL stated that the Amendment did not increase funding, it only reallocated funds for the same purpose and he overruled the Point of Order.

Rep. SELLERS continued speaking.

Rep. SELLERS spoke in favor of the amendment.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. SELLERS continued speaking.

Rep. DUNCAN spoke against the amendment.

Rep. SKELTON spoke against the amendment.

Rep. OTT spoke in favor of the amendment.

Rep. DUNCAN spoke against the amendment.

Rep. KENNEDY spoke in favor of the amendment.

Rep. MACK spoke in favor of the amendment.

Rep. J. H. NEAL spoke in favor of the amendment.

SPEAKER IN CHAIR

Rep. J. H. NEAL continued speaking.

Rep. OTT spoke in favor of the amendment.

The question then recurred to the adoption of the amendment.

Rep. COOPER moved to table the amendment.

Rep. SELLERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 46

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Cole	Cooper	Crawford

[HJ]

MONDAY, MARCH 9, 2009

Danig	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Spires	Stewart	Thompson
Toole	Umphlett	Viers
White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--66

Those who voted in the negative are:

Alexander	Allen	Anthony
Bales	Ballentine	Battle
Branham	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Howard	Hutto	Jefferson
Jennings	Kennedy	King
Littlejohn	Mack	McEachern
McLeod	Miller	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parks
Rutherford	Sellers	J. E. Smith
Stavrinakis	Vick	Whipper
Williams		

Total--46

MONDAY, MARCH 9, 2009

So, the amendment was tabled.

Reps. BINGHAM and COOPER proposed the following Amendment No. 184 (Doc Name h:\legwork\house\amend\H-WM\008\governor's schools and scsdb flexibility.docx) which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/(SDE: Governor's Schools and South Carolina School for the Deaf and Blind Flexibility) For fiscal year 2009-10 The Governor's School for Math and Science, the Governor's School for the Arts and the Humanities and the South Carolina School for the Deaf and Blind are authorized to transfer funds among funding categories, including capital funds./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Reps. BINGHAM and Cooper proposed the following Amendment No. 185 (Doc Name h:\legwork\house\amend\H-WM\008\governor's schools and scsdb bsc.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/(SDE: Governor's Schools and South Carolina School for the Deaf and Blind BSC) For fiscal year 2009-10 the department is directed to transfer the appropriately weighted base student cost per pupil to the Governor's School for Math and Science, the Governor's School for the Arts and the Humanities and the South Carolina School for the Deaf and Blind not to exceed \$300,000. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

MONDAY, MARCH 9, 2009

Rep. SELLERS proposed the following Amendment No. 209 (Doc Name h:\legwork\house\amend\H-WM\008\poverty weighting at 1.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 352, after line 10, by adding an appropriately numbered paragraph to read:

/ (SDE: Education Finance Act Poverty Weighting) There is created within the Education Finance Act of Chapter 20, Title 59 an add-on weighting for poverty that has the value of .10. Poverty is defined as children eligible for the Federal free and reduced price lunch program. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 49

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bedingfield	Bingham	Bowen
Brady	Cato	Chalk
Cole	Cooper	Crawford
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Hamilton
Hardwick	Harrell	Harrison
Hearn	Herbkersman	Hiott
Horne	Kelly	Limehouse
Littlejohn	Loftis	Long
Lowe	Merrill	Millwood
Nanney	Owens	Parker
Pinson	M. A. Pitts	Rice
Sandifer	Scott	Simrill
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stewart	Thompson	Toole

[HJ]

MONDAY, MARCH 9, 2009

Umphlett	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

Total--62

Those who voted in the negative are:

Alexander	Allen	Anthony
Bales	Ballentine	Battle
Branham	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	Gilliard	Govan
Gunn	Haley	Hart
Harvin	Hayes	Hodges
Hosey	Howard	Huggins
Hutto	Jefferson	Jennings
Kennedy	King	Lucas
Mack	McEachern	McLeod
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	E. H. Pitts
Rutherford	Sellers	J. E. Smith
Stavrinakis	Vick	Whipper
Williams		

Total--49

So, the amendment was tabled.

Section 1 was adopted.

SECTION 1A--AMENDED AND ADOPTED

Rep. OTT proposed the following Amendment No. 89 to (Doc Name h:\legwork\house\amend\H-WM\008\CERRA FUNDING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 356, paragraph 1A.22, line 2, after /education programs./ by inserting:

/ Whenever the General Assembly or the Budget and Control Board implements a mid-year reduction, CERRA appropriations for the

[HJ]

MONDAY, MARCH 9, 2009

Teaching Fellows Program are exempt from any mid-year budget reductions. The Department of Education is directed to transfer \$545,000 from Part IA, Section 1, Program XI.4. External Review Teams to the Teaching Fellows Program. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

Rep. J. R. SMITH spoke against the amendment.

Rep. J. R. SMITH moved to table the amendment.

Rep. J. R. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 58; Nays 52

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Cole	Cooper
Delleney	Duncan	Erickson
Forrester	Frye	Gambrell
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lucas
Millwood	Nanney	Owens
Parker	M. A. Pitts	Rice
Sandifer	Scott	Skelton
G. M. Smith	G. R. Smith	J. R. Smith
Sottile	Spires	Stewart
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

Total--58

MONDAY, MARCH 9, 2009

Those who voted in the negative are:

Alexander	Allen	Anthony
Bales	Battle	Branham
H. B. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Crawford	Daning
Dillard	Funderburk	Gilliard
Govan	Gunn	Haley
Harvin	Hayes	Hodges
Hosey	Howard	Hutto
Jefferson	Jennings	Kennedy
King	Lowe	Mack
McEachern	McLeod	Merrill
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	Pinson
E. H. Pitts	Rutherford	Sellers
Simrill	D. C. Smith	J. E. Smith
Stavrinakis	Vick	Whipper
Williams		

Total--52

So, the amendment was tabled.

Rep. J. E. SMITH proposed the following Amendment No. 192 (Doc Name h:\legwork\house\amend\H-WM\001\ntl bd one cycle eia.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION-EIA, page 357, paragraph 1A.26, lines 6-7, by striking: / The \$7,500 salary supplement shall only be paid for the initial ten-year certification. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.

Rep. E. H. PITTS spoke against the amendment.

The question then recurred to the adoption of the amendment.

MONDAY, MARCH 9, 2009

Rep. E. H. PITTS demanded the yeas and nays which were taken,
resulting as follows:

Yeas 76; Nays 31

Those who voted in the affirmative are:

Allen	Allison	Anthony
Bales	Ballentine	Bannister
Battle	Bowen	Brady
Branham	H. B. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Cole
Daning	Delleney	Dillard
Erickson	Forrester	Funderburk
Gambrell	Gilliard	Govan
Gunn	Haley	Hardwick
Harrell	Harrison	Harvin
Hayes	Hearn	Hodges
Horne	Hosey	Howard
Huggins	Hutto	Jefferson
Jennings	Kelly	Kennedy
King	Limehouse	Long
Lowe	Lucas	Mack
McEachern	McLeod	Miller
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Parker
Parks	Rice	Rutherford
Sandifer	Sellers	Simrill
Skelton	G. M. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Thompson	Vick
Whipper	Whitmire	Williams
T. R. Young		

Total--76

Those who voted in the negative are:

Barfield	Bedingfield	Bingham
Cato	Chalk	Cooper
Crawford	Duncan	Edge
Frye	Hamilton	Hiott
Littlejohn	Loftis	Merrill
Millwood	Nanney	Owens

MONDAY, MARCH 9, 2009

Pinson	E. H. Pitts	M. A. Pitts
Scott	G. R. Smith	Stewart
Toole	Umphlett	Viers
White	Willis	Wylie
A. D. Young		

Total--31

So, the amendment was adopted.

Rep. J. R. SMITH proposed the following Amendment No. 34 (Doc Name h:\legwork\house\amend\H-WM\008\TECHNICAL ASSIST-ANCE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 362, paragraph 1A.39, line 33, before /Reconstitution means/ by inserting:

/The department shall create a pilot program to implement a system whereby a public school may be reconstituted. /

Amend the bill further, as and if amended, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 363, paragraph 1A.39, line 11, after /district superintendent/ by inserting: /and upon approval of local board of trustees/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

Rep. J. R. SMITH moved to table the amendment, which was agreed to.

Rep. J. R. SMITH proposed the following Amendment No. 32 (Doc Name h:\legwork\house\amend\H-WM\008\NATIONAL BOARD EIA.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 366, paragraph 1A.58, line 26, by inserting after /teacher salaries and fringe benefits/:

/and National Board Certification Incentive salary supplements/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. R. SMITH explained the amendment.

[HJ]

MONDAY, MARCH 9, 2009

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 70; Nays 30

Those who voted in the affirmative are:

Allen	Allison	Bales
Ballentine	Bannister	Barfield
Battle	Bingham	Bowen
Brady	Branham	Cato
Chalk	Cole	Cooper
Daning	Delleney	Duncan
Edge	Erickson	Forrester
Frye	Gambrell	Haley
Hamilton	Harrell	Harrison
Hayes	Herbkersman	Hiott
Horne	Huggins	Jennings
Kelly	Limehouse	Littlejohn
Long	Lucas	Merrill
Miller	Millwood	J. M. Neal
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Thompson	Toole	Umphlett
Viers	White	Whitmire
Willis	Wylie	A. D. Young
T. R. Young		

Total--70

Those who voted in the negative are:

Alexander	Anthony	H. B. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Crawford	Dillard	Funderburk
Gilliard	Govan	Gunn
Harvin	Hodges	Hosey
Howard	Hutto	King
Mack	McEachern	McLeod
Mitchell	Moss	J. H. Neal

MONDAY, MARCH 9, 2009

Ott	Parks	Sellers
Vick	Whipper	Williams

Total--30

So, the amendment was adopted.

Rep. OTT proposed the following Amendment No. 216 to (Doc Name h:\legwork\house\amend\H-WM\008\nat bc and cerra.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 366, paragraph 1A.58, line 26, by inserting after /teacher salaries and fringe benefits/:

/and National Board Certification Incentive salary supplements and the Teaching Fellows Program administered by CERRA./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

The question then recurred to the adoption of Section 1A.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 102; Nays 2

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anthony	Bales	Ballentine
Bannister	Barfield	Battle
Bingham	Bowen	Brady
Branham	R. L. Brown	Cato
Chalk	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gunn	Haley	Hamilton
Hardwick	Harrell	Harrison

[HJ]

MONDAY, MARCH 9, 2009

Harvin	Hayes	Hearn
Herbkersman	Hiott	Hodges
Horne	Hosey	Howard
Huggins	Hutto	Jefferson
Jennings	Kelly	King
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Mack	McEachern	McLeod
Merrill	Miller	Millwood
Mitchell	Moss	J. H. Neal
J. M. Neal	Ott	Owens
Parker	Parks	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Simrill
Skelton	G. M. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Stewart	Thompson
Toole	Umphlett	Vick
Viers	Whipper	White
Whitmire	Williams	Willis
Wylie	A. D. Young	T. R. Young

Total--102

Those who voted in the negative are:
Bedingfield G. R. Smith

Total--2

Section 1A was adopted.

SECTION 2--AMENDED AND ADOPTED

Rep. COOPER proposed the following Amendment No. 4 (Doc Name h:\legwork\house\amend\H-WM\001\LOTTERY.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 2, LOTTERY EXPENDITURE ACCOUNT, page 370, paragraph 2.7, line 18, by striking /\$79,533,953/ and inserting /\$85,256,682/

MONDAY, MARCH 9, 2009

Amend the bill further, as and if amended, Section 2, LOTTERY EXPENDITURE ACCOUNT, page 370, paragraph 2.7, line 29, by striking /\$47,614,527/ and inserting /\$41,891,798/

Amend the bill further, as and if amended, Section 2, LOTTERY EXPENDITURE ACCOUNT, page 371, paragraph 2.7, line 12, after “appropriated” by inserting: / as follows: \$5,722,729 to the Department of Education for K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525 and \$2,677,271 /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Section 2 was adopted.

Rep. LOFTIS moved that the House do now adjourn, which was agreed to.

MOTION NOTED

Rep. COOPER moved to reconsider the vote whereby Part IA, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 16, 17A, 17B, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68A, 68B, 68C, 70A, 70B, 70C, 70D, 70E, 70F, 71, 72A, 72B, 72C, 73, 74, 75, 76, 77, 78, 79, 80A, 80B, 80C, 80D, 81, 82, 83, 84, 85, 86, 86A, 87, and 88; Part 1B, Sections 1, 1A, 2, 3, 4, 7, 18, 19, 20, 27, 28, 29, 31, 32, 38, 45, 49, 50, 52, 53, 55, 57, 59, 63, 64, 71, 74, 76, 78, 82, 83, and 84 were adopted and the motion was noted.

Further proceedings were interrupted by adjournment, the pending question being consideration of Section 5, Part IB.

ADJOURNMENT

At 10:17 p.m. the House, in accordance with the motion of Rep. H. B. BROWN, adjourned in memory of former Senator John Martin of Winnsboro, to meet at 9:30 a.m. tomorrow.

MONDAY, MARCH 9, 2009

H. 3560	19, 20, 22, 29	H. 3684	11
H. 3560	31	H. 3685	11
H. 3673	3, 19	H. 3686	13
H. 3674	4		
H. 3675	5	S. 16	11
H. 3676	7	S. 97	11
H. 3677	7	S. 110	11
H. 3678	9	S. 146	12
H. 3679	9	S. 488	12
H. 3680	9	S. 489	12
H. 3681	9	S. 490	12
H. 3682	10	S. 499	13
H. 3683	10	S. 524	15

MONDAY, MARCH 9, 2009

Amendment No. 5.....	24	Amendment No. 150.....	63
Amendment No. 31.....	25	Amendment No. 170.....	64
Amendment No. 22.....	27	Amendment No. 169.....	65
Amendment No. 73.....	29	Amendment No. 24.....	65
Amendment No. 103.....	31	Amendment No. 191.....	66
Amendment No. 63.....	33	Amendment No. 175.....	70
Amendment No. 81.....	34	Amendment No. 2.....	70
Amendment No. 173.....	36	Amendment No. 108.....	72
Amendment No. 75.....	38	Amendment No. 30.....	74
Amendment No. 163.....	40	Amendment No. 193.....	74
Amendment No. 61.....	42	Amendment No. 197.....	78
Amendment No. 57.....	44	Amendment No. 17.....	78
Amendment No. 58.....	46	Amendment No. 134.....	81
Amendment No. 114.....	47	Amendment No. 130.....	83
Amendment No. 116.....	49	Amendment No. 132.....	83
Amendment No. 13.....	51	Amendment No. 158.....	84
Amendment No. 56.....	53	Amendment No. 184.....	87
Amendment No. 183.....	54	Amendment No. 185.....	87
Amendment No. 160.....	55	Amendment No. 209.....	88
Amendment No. 16.....	55	Amendment No. 89.....	89
Amendment No. 98.....	56	Amendment No. 192.....	91
Amendment No. 72.....	57	Amendment No. 34.....	93
Amendment No. 111.....	59	Amendment No. 32.....	93
Amendment No. 59.....	61	Amendment No. 216.....	95
		Amendment No. 4.....	96